

### Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application.

All claims currently being amended are shown with deleted text struckthrough or double bracketed and new text underlined. Additionally, the status of each claim is indicated in parenthetical expression following the claim number.

Claims 1-3 remain.

Claim 1 is being amended.

Claims 4-10 are being added

### WHAT IS CLAIMED IS:

1. (Currently Amended) An improved throw rod for a rail switch, comprising:  
a[[n]] first elongate rod portion [[having a first end and a second end]];  
a second elongate rod portion;  
a cylinder connected to the first [[end]] rod portion;  
a piston connected to the second [[end]] rod portion, wherein the piston is slidably mounted within the cylinder;  
an externally removable restraining mechanism connected to the piston and cylinder to prevent movement of the piston within the cylinder along a longitudinal axis of the cylinder; and  
at least one spring within the cylinder and connected to the piston, wherein movement of the piston within the cylinder is limited when the restraining mechanism is removed.
2. (Original) The throw rod of Claim 1, wherein the restraining mechanism comprises a pin extending through a wall of the cylinder and through the piston.

3. (Original) The throw rod of Claim 1, wherein the cylinder contains two springs, one at each end of the piston.

4. (New) A spring loaded throw rod assembly for use in a railway switch comprising:

- a piston slidably disposed within sidewalls of a cylinder;
- a spring disposed between an endwall of the piston and an endwall of the cylinder for applying a force against the piston during movement of the piston along a longitudinal axis of the cylinder during testing of the railway switch;
- a first rod portion attached to the piston;
- a second rod portion attached to the cylinder; and
- a pin substantially holding the piston at a selected position within the cylinder during normal operation of the railway switch and externally removable during testing of the railway switch.

5. (New) The spring loaded throw rod assembly of Claim 4, further comprising another spring disposed between another endwall of the piston and another endwall of the cylinder.

6. (New) The spring loaded throw rod assembly of Claim 4, wherein an end of the first rod portion is adapted for connection to a basket of the railway switch.

7. (New) The spring loaded throw rod assembly of Claim 4, wherein an end of the second rod portion is adapted for connection to a switch machine.

8. (New) A railway switch assembly comprising:
- a switch machine;
  - a basket; and
  - a throw rod assembly comprising:
    - a piston slidably disposed within sidewalls of a cylinder;
    - a spring disposed within the cylinder for applying a force against the piston during movement of the piston along a longitudinal axis of the cylinder;
    - a first rod portion attached to the piston and the basket;
    - a second rod portion attached to the cylinder and the switch machine; and
    - an externally removable restraining mechanism for substantially holding the piston at a selected position.
9. (New) The switch assembly of Claim 8, wherein the restraining mechanism comprises a substantially elongated pin adapted to extend through a portion of the cylinder.
10. (New) The switch assembly of Claim 8, wherein the spring comprises a selected one of a pair of springs for applying forces to opposing ends of the piston.